

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER "PRIOR" PATENTSDocket Number (Optional)
110186.53659C23In re Application of: Donald B. Axworthy, Louis J. Theodore, Linda M. Gustavson
and John M. Reno

Application No. 10/775,897

Filed: February 10, 2004

For: PRETARGETING METHODS AND COMPOUNDS

The owner*, Aletheon Pharmaceuticals, Inc. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent Nos. 5,608,060 and 5,955,605 as the term of said prior patents is defined in 35 U.S.C. 154 and 173, and as the term of said prior patents is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
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- is reissued; or
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2. The undersigned is an attorney or agent of record. Registration No. 51,017

Signature

Date

David L. Enfield, Ph.D.

Typed or printed name

206.622.4900

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- Terminal disclaimer fee under 37 CFR 1.20(d) included.

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